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VIA FACSIMILE

FILED

December 9, 2005

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ DEC 21 2005 ★

BROOKLYN OFFICE

Re: Smith v. Stevens et. Al.
Civil Action No. CV 006121 (Gleeson, J.) (Pollak, M.J.)

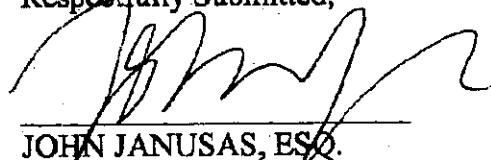
Dear Magistrate Judge Pollak:

As you may be aware, the undersigned is the attorney for the plaintiff, Anzel Smith, in the above referenced case. Pursuant to an extension request approved by this Honorable Court on November 18, 2005, the report of Plaintiff Anzel Smith's Expert Witness Psychologist, Dr. Ernest Bonaparte, was to be exchanged by December 9, 2005. To date, the Plaintiff has been evaluated by Dr. Bonaparte, and has exchanged authorizations so that the defendants can obtain the Plaintiff's Psychological Records, however, a report has not yet been issued. To date, the undersigned has used his best efforts to obtain this report, and anticipates that it will be provided by Dr. Bonaparte within two additional (2) weeks.

With these circumstances in mind, the undersigned respectfully requests that the Plaintiff be granted an additional extension of time until December 23, 2005 to exchange Dr. Bonaparte's report. The undersigned has conveyed this request to Assistant United States Attorney Catherine Mirabile via telephone message, but has not yet received a response.

Please do not hesitate to contact the undersigned if you have any questions or require anything further.

Respectfully Submitted,



JOHN JANUSAS, ESQ.

cc: Catherine Mirabile, Assistant United States Attorney

Request for 2 weeks is granted. No further extensions will be granted So Ordered

s/Cheryl Pollak

12/13/05

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To: Honorable Magistrate Judge Cheryl L. Pollak

From: John Janusas

Date: December 9, 2005

Re: Smith v. Stevens et. al., 00CV6121

Fax Number/Page Total: (718) 260-2358; 2 Pgs. Total

Dear Magistrate Judge Pollak:

Please note the attached correspondence, and please do not hesitate to contact the undersigned if you have any questions or require anything further.

Respectfully Submitted,

John Janusas

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